

REMARKS

In the Office Action, the Examiner rejected claims 1, 31, and 61 under 35 U.S.C. § 112, first paragraph; rejected claims 1-16, 31-46, and 61 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,798,753 to Doganata et al. ("Doganata") in view of U.S. Patent Application Publication No. 2002/0103864 of Rodman et al. ("Rodman"), and further in view of U.S. Patent No. 5,717,863 to Adamson et al. ("Adamson"); and rejected claims 17-29, 47-59, 62, and 67 under 35 U.S.C. § 103(a) as being unpatentable over Doganata, Rodman, and further in view of U.S. Patent No. 6,275,575 to Wu ("Wu"). The Examiner previously indicated that claims 30, 60, 63, 68, and 69 are allowable over the prior art of record. Applicants wish to thank the Examiner for the indication of allowable subject matter.

By this Reply, Applicants have amended claims 1, 7-12, 14, 15, 17, 23-25, 31, 37-42, 44, 45, 47, 53-56, 61, 62, and 67. Support for the amendments can be found in the specification at, for example, FIG. 7 and page 40, line 9 - page 47, line 7. Claims 1-63 and 67-69 are currently pending, with claims 1, 17, 30, 31, 47, 60-63, and 67-69 being independent. Claims 64-66 were previously canceled without prejudice or disclaimer. Based on the foregoing amendments and the following remarks, Applicants respectfully request reconsideration and allowance of the pending claims.¹

¹ As Applicants' remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicants' silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, ability to combine references, assertions as to patentability of dependent claims) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to analyze and dispute such in the future.

I. The § 112, First Paragraph, Rejection of Claims 1, 31, and 61

The Examiner rejected claims 1, 31, and 61 under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. Office Action at 3. The Examiner asserted that “it is unclear how the specification supports the limitation ‘a device used to share first data interactively during a previous computer-enhanced conference call.’” Id. Although Applicants disagree, in order to advance prosecution, Applicants have amended claims 1, 31, and 61. Among other things, Applicants have removed the step of “determining a most recently used device by a first conference user to share first data interactively during a previous computer-enhanced conference call, the most recently used device being one of a plurality of devices used by the first conference user.” Accordingly, Applicants respectfully request reconsideration and withdrawal of the § 112, first paragraph, rejection of claims 1, 31, and 61.

II. The § 103 Rejection of Claims 1-16, 31-46, and 61

Applicants respectfully traverse the § 103(a) rejection of claims 1-16, 31-46, and 61 over Doganata in view of Rodman, and further in view of Adamson. A *prima facie* case of obviousness has not been established with respect to claims 1-16, 31-46, and 61.

Amended independent claim 1 recites a combination of elements including “initiating contact with one or more conference users associated with the computer-enhanced conference call event, including initiating contact with a first conference user at a device associated with the first conference user,” “receiving call information in response to initiating contact with the first conference user,” “determining a preferred

device for the first conference user based on the call information,” and “providing a notification of the computer-enhanced call to the first conference user at the preferred device.” Doganata, Rodman, and Adamson, taken alone or in combination, fail to teach or suggest at least the recited combination of elements.

Doganata discloses “[a] system and method for providing automatic scheduling and establishment of telephone conferences over a network such as the Internet.” Doganata, Abstract. Doganata discloses that “[t]he conference service provider receives the telephone numbers of the participants over the established data connection and starts dialing out to the participants.” However, Doganata does not teach or suggest “receiving call information in response to initiating contact with [a] conference user,” as recited in amended independent claim 1. In addition, Doganata does not teach or suggest “determining a preferred device for the . . . conference user based on the call information,” as recited in amended independent claim 1. Further, Doganata does not teach or suggest “providing a notification of the computer-enhanced call to the . . . conference user at the preferred device [determined based on the call information received in response to initiating contact with [the] conference user],” as recited in amended independent claim 1. Instead, Doganata discloses connecting participants to the audio bridge when the participants answer the initial calls. Doganata, col. 3, lines 3-7.

Rodman fails to cure these deficiencies of Doganata. Rodman discloses “[a] system and method . . . for coordinating a conference using a dedicated service.” Rodman, Title. The Examiner asserted that Rodman discloses “a method for the purpose of coordinating a data conference between conference endpoints which can be

connected to both the PSTN and a LAN to establish both a[n] audio conference call and an interactive data collaboration, wherein a subset of the users that are authorized to participate in the data collaboration share data interactively.” Office Action at 4-5. Even assuming, *arguendo*, that the assertion were true, which Applicants do not concede, Rodman does not teach or suggest the combination of elements including “initiating contact with one or more conference users associated with the computer-enhanced conference call event, including initiating contact with a first conference user at a device associated with the first conference user,” “receiving call information in response to initiating contact with the first conference user,” “determining a preferred device for the first conference user based on the call information,” and “providing a notification of the computer-enhanced call to the first conference user at the preferred device,” as recited in amended independent claim 1. Instead, Rodman discloses “distributing data to the participants” to the network addresses where the conference invitation is initially transmitted to. Rodman at paragraphs [0013]-[0014].

Adamson fails to cure these deficiencies of Doganata and Rodman. Adamson is directed to a “method and apparatus for managing PC conference connecting addresses.” Adamson, Title. The Examiner asserted that Adamson discloses “a method for the purpose of initiating a conference between users by contacting the most recently used device of a plurality of devices used by the first conference user to share data interactively.” Office Action at 5. Even assuming, *arguendo*, that the assertion were true, which Applicants do not concede, Adamson does not teach or suggest the combination of elements including “initiating contact with one or more conference users associated with the computer-enhanced conference call event, including initiating

contact with a first conference user at a device associated with the first conference user,” “receiving call information in response to initiating contact with the first conference user,” “determining a preferred device for the first conference user based on the call information,” and “providing a notification of the computer-enhanced call to the first conference user at the preferred device,” as recited in amended independent claim 1.

For at least the above reasons, the Office Action has failed to clearly articulate a reason why amended independent claim 1 would have been obvious to one of ordinary skill in the art in view of the prior art. Accordingly, a *prima facie* case of obviousness has not been established with respect to independent claim 1, and the rejection under 35 U.S.C. § 103(a) should be withdrawn.

Amended independent claims 31 and 61, although of different scope, recite elements that are similar to the elements recited in amended independent claim 1. For at least reasons similar to the reasons set forth above with respect to amended independent claim 1, a *prima facie* case of obviousness has not been established with respect to amended independent claims 31 and 61, and therefore, Doganata, Rodman, and Adamson, taken alone or in combination, fail to support the rejection of amended independent claims 31 and 61 under 35 U.S.C. § 103(a). Accordingly, the rejection of independent claims 31 and 61 under 35 U.S.C. § 103(a) should be withdrawn.

Dependent claims 2-16 and 32-46 depend from amended independent claims 1 and 31, respectively. Dependent claims 2-16 and 32-46 are thus allowable at least by virtue of their dependence from an allowable independent claim. Accordingly,

Applicants respectfully request reconsideration and withdrawal of the § 103(a) rejection of claims 2-16 and 32-46.

III. The § 103 Rejection of Claims 17-29, 47-59, 62, and 67

Applicants respectfully traverse the § 103(a) rejection of claims 17-29, 47-59, 62, and 67 over Doganata in view of Rodman, and further in view of Wu. A *prima facie* case of obviousness has not been established with respect to claims 17-29, 47-59, 62, and 67.

Amended independent claim 17 recites a combination of elements including “initiating contact with one or more conference users associated with the computer-enhanced conference call event, including initiating contact with a first conference user at a device associated with the first conference user,” “receiving call information in response to initiating contact with the first conference user,” and “determining a preferred device for the first conference user based on the call information and calendar information, the calendar information identifying a first device and a second device associated with the first conference user, the calendar information reflecting that the first device is preferred by the first conference user for sharing data interactively in computer-enhanced conference calls during a first time period and the second device is preferred for sharing data interactively in computer-enhanced conference calls during a second time period.” As explained above with respect to amended independent claim 1, Doganata discloses connecting participants to the audio bridge when the participants answer the initial calls. Doganata, col. 3, lines 3-7. Therefore, Doganata fails to teach or suggest the recited combination of elements.

Rodman fails to cure these deficiencies of Doganata. As explained above with respect to amended independent claim 1, Rodman discloses “distributing data to the participants” to the network addresses where the conference invitation is initially transmitted to. Therefore, Rodman does not teach or suggest the recited combination of elements.

Wu fails to cure these deficiencies of Doganata and Rodman. The Examiner asserted that Wu discloses “a method and system for the purpose of initiating conferences to preferred devices of conference users wherein stored contact information for conference users comprises a daily schedule with preferred devices and associated time periods of use.” Office Action at 10. Although Wu discloses “various terminal devices associated with particular subscribers/non-subscribers,” Wu does not teach or suggest “determining a preferred device for [a] conference user based on the call information [received in response to initiating contact with the conference user] . . . ” as recited in amended independent claim 17.

For at least the above reasons, the Office Action has failed to clearly articulate a reason why amended independent claim 17 would have been obvious to one of ordinary skill in the art in view of the prior art. Accordingly, a *prima facie* case of obviousness has not been established with respect to independent claim 17, and the rejection under 35 U.S.C. § 103(a) should be withdrawn.

Amended independent claims 47, 62, and 67, although of different scope, recite elements that are similar to the elements recited in amended independent claim 17. For at least reasons similar to the reasons set forth above with respect to amended independent claim 17, a *prima facie* case of obviousness has not been established with

respect to amended independent claims 47, 62, and 67, and therefore, Doganata, Rodman, and Wu, taken alone or in combination, fail to support the rejection of amended independent claims 47, 62, and 67 under 35 U.S.C. § 103(a). Accordingly, the rejection of independent claims 47, 62, and 67 under 35 U.S.C. § 103(a) should be withdrawn.

Dependent claims 18-29 and 48-59 depend from amended independent claims 17 and 47, respectively. Dependent claims 18-29 and 48-59 are thus allowable at least by virtue of their dependence from an allowable independent claim. Accordingly, Applicants respectfully request reconsideration and withdrawal of the § 103(a) rejection of claims 18-29 and 48-59.

IV. Conclusion


In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

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